

**NORFOLK SOUTHERN RAILROAD COMPANY v.
FEREBEE.**

**ERROR TO THE SUPREME COURT OF THE STATE OF NORTH
CAROLINA.**

No. 779. Argued April 23, 1915.—Decided June 14, 1915.

In the courts of North Carolina in an action under the Employers' Liability Act, there was a trial in which under the state practice the jury returned a special verdict finding that the Railroad Company was negligent and that plaintiff was not guilty of contributory negligence. The appellate court on account of errors in the charge re-